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6 Attorneys for Plaintiff  
7 United States of America  
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11 IN THE UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

13  
14 UNITED STATES OF AMERICA,  
15 Plaintiff,  
v.  
16 STEVEN RAYMON WALLER,  
17 Defendant.

CASE NO. 2:23-CR-00122-DAD  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
FINDINGS AND ORDER  
DATE: September 26, 2023  
TIME: 9:30 a.m.  
COURT: Hon. Dale A. Drozd

18  
19 STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on September 26, 2023.
- 21 2. By this stipulation, defendant now moves to continue the status conference until  
December 12, 2023, and to exclude time between September 26, 2023, and December 12, 2023, at 9:30  
a.m., under Local Code T4.
- 22 3. The parties agree and stipulate, and request that the Court find the following:
  - 23 a) The government has represented that the discovery associated with this case  
includes approximately 12,000 pages of discovery including surveillance videos. All of this  
discovery has been either produced directly to counsel and/or made available for inspection and  
copying.

1                   b)     Counsel for defendant desires additional time to consult with her client, review  
2 the current charges and discovery, to conduct investigation and research related to the charges,  
3 and to discuss potential resolutions with her client.

4                   c)     Counsel for defendant believes that failure to grant the above-requested  
5 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
6 into account the exercise of due diligence.

7                   d)     The government does not object to the continuance.

8                   e)     Based on the above-stated findings, the ends of justice served by continuing the  
9 case as requested outweigh the interest of the public and the defendant in a trial within the  
10 original date prescribed by the Speedy Trial Act.

11                  f)     For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
12 et seq., within which trial must commence, the time period of September 26, 2023 to December  
13 12, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local  
14 Code T4] because it results from a continuance granted by the Court at defendant's request on  
15 the basis of the Court's finding that the ends of justice served by taking such action outweigh the  
16 best interest of the public and the defendant in a speedy trial.

17       4.     Nothing in this stipulation and order shall preclude a finding that other provisions of the  
18 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
19 must commence.

20                  IT IS SO STIPULATED.

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22                  Dated: September 19, 2023

PHILLIP A. TALBERT  
United States Attorney

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25                  /s/ NICHOLAS M. FOGG  
26                  NICHOLAS M. FOGG  
27                  Assistant United States Attorney  
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1 Dated: September 19, 2023

/s/ NOA OREN

2 NOA OREN

3 Counsel for Defendant

4 STEVEN RAYMON WALLER

5 **ORDER**

6 Pursuant to the stipulation of the parties and good cause appearing, the status conference  
7 previously scheduled for September 26, 2023 in this case is continued until December 12, 2023, at 9:30  
8 a.m. and time is excluded between September 26, 2023, and December 12, 2023, under Local Code T4.

9 IT IS SO ORDERED.

10 Dated: September 19, 2023

*Dale A. Drozd*

11 DALE A. DROZD

12 UNITED STATES DISTRICT JUDGE